



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

MICHAEL ANTHONY SARRATT,

§

Plaintiff,

§

§

§

vs.

§

CIVIL ACTION NO. 2:06-3375-HFF-RSC

§

NFN DAUGHTERY et al.,

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§

Defendants.

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ORDER ADOPTING THE REPORT AND RECOMMENDATION  
OF THE MAGISTRATE JUDGE

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This is a civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that (1) Defendants' motion for summary judgment be granted; (2) Plaintiff's motion for summary judgment be denied; and (3) all other outstanding motions be deemed moot. The Report is made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or may recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on July 16, 2007, and the Clerk entered Plaintiff's objections on August 13, 2007. The Court has exhaustively reviewed the objections, but finds them to be without merit. Therefore, for the reasons set forth in the Report, the Court will enter judgment accordingly.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of this Court that (1) Defendants' motion for summary judgment be **GRANTED**; (2) Plaintiff's motion for summary judgment be **DENIED**; and (3) all other outstanding motions be deemed **MOOT**.

**IT IS SO ORDERED.**

Signed this 23rd day of August, 2007, in Spartanburg, South Carolina.

s/Henry F. Floyd  
HENRY F. FLOYD  
UNITED STATES DISTRICT JUDGE

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**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within thirty (30) days from the date hereof, pursuant to the Federal Rules of Appellate Procedure.